

VIII. Reporting and Recordkeeping Requirements.

A. Reporting Requirements.

(1) The sponsoring organization (the Office of the Administrator) is required by Department of Transportation order to submit an Annual Committee Report to the FAA Committee Management Officer.

(2) To assist in the preparation of the Annual Committee Report, the OPI's responsible for each of the issues assigned to ATSRAC must submit the following information to the Executive Director for time spent on ATSRAC (actual time for the current fiscal year and estimated time for the next fiscal year).

a. The prorated salary for Federal staff (i.e., the Executive Director and other support personnel);

b. Travel and per diem (if applicable) for Federal staff; and,

c. Other (rents, graphics, printing, mailing, etc.).

(3) Information may be submitted to the Executive Director periodically throughout the year.

(4) The Executive Director is required to submit monthly reports of ATSRAC expenditures under FAA ceiling to the FAA Office of Financial Services by the 10th working day of each month.

(5) The Office of Rulemaking prepares all management reports that the sponsoring organization is required to submit.

B. Recordkeeping.

(1) Committee.

a. The Executive Director maintains the official ATSRAC records. Such records include establishing documents, official correspondence relating to committee activities, membership information, agenda, minutes of meetings, invitations, studies, analyses, drafts of reports presented to the committee for discussion, final reports, other compilations of data or working papers, and records of time served and claims for payment (as appropriate).

b. The official ATSRAC records are maintained in hard-copy form in the office of the Office of Rulemaking.

c. Whenever possible, individual documents to be included in the official ATSRAC records are submitted to the Executive Director in electronic form (Microsoft Word for Windows).

d. Documents included in the official ATSRAC records are indexed to allow eventual electronic access.

e. ATSRAC records are available for public inspection during normal business hours (8:30 a.m. through 5 p.m.).

f. Charges for copies of documents are made in accordance with 49 CFR Subpart I.

(2) **Working group.** Working groups must maintain a list of attendees at each of its meetings, a chronology of all meetings, and working drafts of reports prepared by the working group.

C. Availability of Records under the Federal Advisory Committee Act (FACA) and Pursuant to a Request under the Freedom of Information Act (FOIA).

(1) **Availability of Records** Subject to the provisions of the FOIA, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by ATSRAC shall be available for public inspection and copying at a single location in the FAA Office of Rulemaking until ATSRAC ceases to exist. In practice, as soon as working group information is included for discussion on the agenda for an ATSRAC meeting, the information should be made available for public inspection and copying.

(2) **Freedom of Information Act Requests to the FAA.** Subject to the provisions of the FOIA, the FAA shall make available to a requester records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by ATSRAC.

Working group information in the custody and control of the FAA is releasable under the FOIA, unless it fall within one of the nine statutory exemptions. It makes no difference that the working group information has not passed the material on the ATSRAC. Therefore, FAA Representatives need to be aware of the type of information in their possession. For example, if at a working group meeting manufacturers are asked to share sensitive data with the working group members, the FAA Representative may look at and discuss the data during the meeting without the information being subject to a FOIA request. However, if the FAA Representative takes possession of the information upon leaving the

meeting and uses the information in performance of his/her duties, then the working group information would be subject to the FOIA. It is recommended that if an FAA Representative needs such data to complete a working group assignment, he/she should, to the extent possible, make sure the data is in a form or format that would be releasable under FOIA. For example, proprietary data should be redacted, or, for information in which identity of the source is sensitive, the identifying information should be redacted or removed before the FAA Representative takes possession of the documents.